

REMARKS/ARGUMENTS

The final office action of September 14, 2004 has been carefully reviewed and these remarks are responsive thereto. Entry of the above amendment, and reconsideration and allowance of the instant application are respectfully requested. Claims 16, 19-21, 24 and 25 remain pending in this application. Claims 1-15, 17, 18, 22 and 23 have canceled without prejudice or disclaimer.

Applicant notes with appreciation the indication that the application contains allowable subject matter. Specifically, claims 7, 8, 16, 19-21, 24 and 25 have been objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Claims 12, 13, 17, 18, 22 and 23 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph.

The drawings stand objected to under 37 C.F.R. § 1.83(a) for failing to show every feature of the claimed invention as set for the below in connection with the rejections under 35 U.S.C. § 112. Claims 2, 3, 6-10, 12, 13, 17, 18, 22 and 23 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification as to enable one skilled in the art to make and/or use the claimed invention. Also, claims 2, 3, 6-10, 12, 13, 17, 18, 22 and 23 stand rejected under 35 U.S.C. § 112, second paragraph for indefiniteness. Claims 1, 4-6, 9, 10, 11, 14 and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 5,043,858 to Watanabe. Claims 2 and 3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,130,574 to Bloch et al. ("Bloch") in view of U.S. patent no. 6,356,137 to Roohparvar et al. ("Roohparvar").

While not acquiescing in the aforementioned objection and rejections, Applicant has canceled claims 1-15, 17, 18, 22 and 23 to expedite prosecution. Nonetheless, applicant reserves the right to pursue the subject matter of the rejected claims in a continuation application.

Also, applicant has rewritten claims 16, 19-21, 24 and 25 to place them in condition for allowance.

Appln. No.: 10/664,917
Amendment dated December 10, 2004
Reply to Office Action of September 14, 2004

CONCLUSION

No fee is believed due for entry of this submission. However, if any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.


All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: December 10, 2004

By:



Gary D. Fedorochko
Registration No. 35,509

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001
GDF:lab